

**REMARKS**

Prior to this Amendment, Claims 1-19 were pending in this application, with Claims 1, 9, 13, 16, and 18 being independent claims. Claims 4, 9, 10, 13, 14, 16, and 18 are objected to due to informalities.

The claims are rejected as follows:

Claims 15 and 19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention;

Claims 1, 6, 8-9, 12, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0054847 to Kim et al. (hereinafter, "Kim") in view of U.S. Patent Application Publication No. 2002/0148770 to Das et al. (hereinafter, "Das");

Claims 2, 13, and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kim in view of Das, and further in view of U.S. Patent Application Publication No. 2003/0157900 to Gaal et al. (hereinafter, "Gaal");

Claims 3, 5, and 10-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Das, Kim, and Gaal, in view of U.S. Patent Application Publication No. 2004/0203717 to Wingrowicz et al. (hereinafter, "Wingrowicz");

Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kim and Das in view of U.S. Patent Application Publication No. 2003/0185242 to Lee et al. (hereinafter, "Lee");

Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kim and Das in view of U.S. Patent Application Publication No. 2005/0111462 to Walton et al. (hereinafter, "Walton"); and

Claim 17 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kim and Das in view of Wingrowicz.

Claims 4 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the §112, second paragraph rejection and to include all of the limitations of the base claim and any intervening claims.

As indicated above, Claims 1, 4-6, 9-10, 13-16, and 18-19 have been amended. No new matter has been presented. Claims 1-19 are now pending, with Claims 1, 9, 13, 16, and 18 as independent claims.

Regarding the informality objections to Claims 4, 10, and 14, the Examiner recommends replacing the method step identifiers (e), (c), and (d) with the actual names of the corresponding steps. (Office Action, page 2). As indicated above, Claims 4, 10, and 14 have been amended to replace the identifiers with the corresponding names of method steps. Accordingly, withdrawal of the informality objection to Claims 4, 10, and 14 is respectfully requested.

Regarding the informality objection to Claims 9, 13, 16, and 18, the Examiner recommends inserting the term “channel quality information” in order to define the abbreviation “CQI.” (Office Action, page 2). As indicated above, Claims 9, 13, 16, and 18 have been amended to define the abbreviation “CQI.” Accordingly, withdrawal of the informality objection of Claims 9, 13, 16, and 18 is respectfully requested.

Regarding the §112, second paragraph rejection of Claim 15, the Examiner states that there is insufficient antecedent basis for “the wireless portable Internet system.” (Office Action, page 3). As indicated above, Claim 15 has been amended to recite,

“[[the]]a wireless portable Internet system.” Accordingly, withdrawal of the §112, second paragraph rejection of Claim 15 is respectfully requested.

Regarding the §112, second paragraph rejection of Claim 19, the Examiner states that the phrase “subscriber station arranged in an order corresponding” is indefinite. (Office Action, page 3). The Specification of the present application states that identifiers of subscriber stations are arranged in a predetermined order according to designated resource positions. (Specification, page 20, lines 4-8). As indicated above, Claim 19 has been amended to recite, “subscriber station arranged in [[an]]a predetermined order ~~corresponding~~.” Accordingly, withdrawal of the §112, second paragraph rejection of Claim 19 is respectfully requested.

Regarding the §103(a) rejection of independent Claim 1, this claim is patentable over Kim and Das. The Examiner asserts that Kim discloses, “receiving uplink radio resource allocation information to which a channel for reporting the channel quality information (CQI) is allocated from a base station,” citing FIG. 6 (PDCH and CQICH) and paragraphs [0056], [0083], and [0097] of Kim. (Office Action, page 4). The Examiner further states that Kim does not explicitly teach, “a dedicated feedback channel for reporting the channel quality information allocated from the base station.” Further, the Examiner asserts that Das discloses, “receiving uplink radio resource allocation information to which a dedicated feedback channel for reporting the channel quality information (CQI) is allocated form a base station,” citing Claim 4, FIG. 1 at scheduler 118, FIG. 2 at step 204, FIG. 6 at feedback channel, and paragraphs [0040], [0047], [0048], and [0055] of Das. (Office Action, page 4).

As stated in the Specification of the present application, a problem with conventional CQI allocation is that, “the base station allocated no uplink resource to be used for the channel measurement report in advance when requesting channel quality

information from the subscriber station, thereby very probably failing to quickly process the varied channel condition and satisfy the quality of service (QoS).” (Specification, page 11, lines 2-9). According to Claim 1, resource allocation information for reporting the CQI is received from a base station. Kim and Das do not teach, disclose, or suggest, alone or in combination, this feature of Claim 1.

Regarding Kim, although the Examiner refers to the PDCH and CQICH illustrated in FIG. 6, the CQICH channel is generally used to transmit CQI information. Kim does not specifically teach, disclose, or suggest that the base station performs a specific allocation for the CQICH nor that a specific allocation for the CQICH is received from the base station. Paragraph [0056] states that an MS transmits a CQI symbol to the BS, but Kim does not teach, disclose or suggest receiving an allocation, from the base station, for transmitting the CQI. Further, paragraphs [0083] and [0097] of Kim refer to allocation that is performed by a base station after the CQI has already been received from the MS. Therefore, the allocation referred to in these paragraphs is not an allocation for the CQI itself, but for information transmitted after the CQI, based on information contained in the CQI is received by the base station. Therefore, Kim does not teach, disclose, or suggest the above-quoted limitations of Claim 1.

Further, Das does not cure the deficiencies of Kim. Regarding step 204 in FIG. 2, Das states, “the mobile station 120 receives signals transmitted from the base station antennas 112 via antenna 122...At step 206, the mobile station 120 determines the channel quality based on the received signals.” (Das, paragraphs [0028]-[0029]). Therefore, although the signals received in step 204 of Das, are used to determine a CQI, Das does not teach, disclose, or suggest that the signals include an allocation for transmitting the CQI back to the base station. Paragraphs [0040], [0047], and [0048] of Das refer to a method illustrated in FIG. 3. As shown in FIG. 3 of Das the method begins receiving a feedback message at step 304, which may be contain a CQI, as determined in

step 308. (Das, paragraph [0040]). Therefore, as the method illustrated in FIG. 3 of Das includes receiving a CQI, by the base station, at the outset of the method, Das does not teach, disclose, or suggest that the method includes receiving an allocation for reporting the CQI, from the base station. Das does not cure the deficiencies of Kim.

Kim and Das do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claim 1. Therefore, Claim 1 is patentable of Kim and Das. Accordingly, withdrawal of the §103(a) rejection of independent Claim 1 is respectfully requested.

Regarding the §103(a) rejection of independent Claim 9, which includes the limitation “transmitting uplink radio resource allocation to the subscriber stations so that the subscriber stations may report CQI through the dedicated feedback channel,” Kim and Das do not teach, disclose, or suggest this limitation of Claim 9 for at least the reasons set forth above regarding independent Claim 1. Kim and Das do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claim 9. Therefore, Claim 9 is patentable of Kim and Das. Accordingly, withdrawal of the §103(a) rejection of independent Claim 9 is respectfully requested.

Regarding the §103(a) rejection of independent Claim 18, which includes the limitation “receiving uplink radio resource allocation information with a dedicated feedback channel for CQI report provided by the base station,” Kim and Das do not teach, disclose, or suggest this limitation of Claim 18 for at least the reasons set forth above regarding independent Claim 1. Kim and Das do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claim 18. Therefore, Claim 18 is patentable of Kim and Das. Accordingly, withdrawal of the §103(a) rejection of independent Claim 18 is respectfully requested.

Regarding the §103(a) rejection of independent Claim 13, which includes the limitation “allowing the base station to allocate a dedicated feedback channel for channel quality report, and transmitting the allocation information to the subscriber stations,” Kim and Das do not teach, disclose, or suggest this limitation of Claim 13 for at least the reasons set forth above regarding independent Claim 1. Further, Gaal does not cure the deficiencies of Kim and Das. Kim, Das, and Gaal do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claim 13. Therefore, Claim 13 is patentable of Kim, Das, and Gaal. Accordingly, withdrawal of the §103(a) rejection of independent Claim 13 is respectfully requested.

Regarding the §103(a) rejection of independent Claim 16, which includes the limitation “generating uplink radio resource allocation information in which a dedicated feedback channel for CQI report is allocated to an uplink radio resource,” and “the base station controller transmits the uplink radio resource allocation information to the subscriber station,” Kim and Das do not teach, disclose, or suggest these limitation of Claim 16 for at least the reasons set forth above regarding independent Claim 1. Further, Walton does not cure the deficiencies of Kim and Das. Kim, Das, and Walton do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claim 16. Therefore, Claim 16 is patentable of Kim, Das, and Walton. Accordingly, withdrawal of the §103(a) rejection of independent Claim 16 is respectfully requested.

Claims 2-8, 10-12, 14-15, 17, and 19 are dependent claims, and are believed to be in condition for allowance for at least the reasons given above with regard to their respective independent Claims 1, 9, 13, 16, and 18.

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Accordingly, all of the claims pending in the Application, namely, Claims 1-19 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the typed name.

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